

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

IN RE: PHARMACEUTICAL INDUSTRY  
AVERAGE WHOLESALE PRICE LITIGATION

MDL No. 1456

Master File No. 01-12257-PBS

Subcategory No. 06-11337-PBS

THIS DOCUMENT RELATES TO:  
*State of California, ex rel. Ven-A-Care v.*  
*Abbott Laboratories, et al.*  
*Civil Action No. 03-cv-11226-PBS*

Judge Patti B. Saris

Magistrate Judge Marianne B. Bowler

**ORDER OF DISMISSAL WITH PREJUDICE OF CLAIMS**  
**AGAINST MYLAN**

Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure and the *qui tam* provisions of the California False Claims Act, the State of California ("California"), Relator Ven-A-Care of the Florida Keys, Inc. (the "Relator") and Mylan Inc. (f/k/a Mylan Laboratories Inc.) and Mylan Pharmaceuticals Inc.) (collectively, "Mylan") (Mylan together with the State of California and Relator collectively the "Parties") filed with this Court, a Stipulation of Dismissal with Prejudice of Claims Against Mylan and Motion for Order of Dismissal with Prejudice (the "Stipulation"). Upon due consideration of the Stipulation and the Parties' Settlement Agreement and Release, the lack of objection to the proposed Settlement, and the Court's determination that the Settlement Amount appears to the Court to be fair, adequate, and reasonable under all the circumstances, the Court hereby approves the Settlement.

WHEREFORE, IT IS ORDERED, that

1. Consistent with the terms of the Settlement Agreement and Release attached hereto as Exhibit A, the above captioned Civil Action is dismissed with prejudice as to Mylan.

2. Each party shall be responsible for its own expenses, attorneys' fees, and costs.

3. The Court shall retain jurisdiction to enforce the terms, conditions, and releases of the Parties' Settlement Agreement and Release to the extent reasonably necessary and appropriate.

IT IS SO ORDERED this 1 day of March, 2012.

  
THE HONORABLE PATTI B. SARIS  
UNITED STATES DISTRICT COURT JUDGE